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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re COHERENT, INC. SHAREHOLDER ) Lead Case No. C-07-0955-JF  
DERIVATIVE LITIGATION )

\_\_\_\_\_ ) DERIVATIVE ACTION

This Document Relates To: ) **STIPULATION AND [PROPOSED]**  
) **ORDER EXTENDING TIME TO**  
) **RESPOND TO COMPLAINT**

ALL ACTIONS. )

STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT  
C-07-0955-JF

1 WHEREAS, on June 25, 2007, Plaintiffs filed a consolidated amended complaint (the  
2 "Complaint") in this consolidated shareholder derivative action;

3 WHEREAS, by Order entered September 6, 2007, the Court continued Defendants'  
4 deadline to respond to the Complaint from September 14, 2007 to November 9, 2007;

5 WHEREAS, a mediation has been scheduled for December 6, 2007;

6 WHEREAS, the parties wish to extend the briefing schedule for the motions to dismiss in  
7 order to facilitate settlement discussions;

8 WHEREAS, in light of the foregoing, the parties have agreed, subject to Court approval,  
9 to continue the date for Defendants' deadline to respond to the Complaint;

10 WHEREAS, the agreed upon schedule is not for the purpose of delay, promotes judicial  
11 efficiency, and will not cause prejudice to any party.

12 THEREFORE, IT IS STIPULATED AND AGREED by Plaintiffs and Defendants,  
13 through their undersigned counsel, subject to approval of the Court, as follows:

14 1. Defendants' deadline to respond to the Complaint is continued from November 9,  
15 2007 to January 18, 2008.

16 2. In the event that Defendants file and serve motion(s) directed at the Complaint,  
17 Plaintiffs shall file and serve an opposition no later than March 4, 2008, and Defendants shall file  
18 and serve a reply no later than April 4, 2008.

19 3. The Case Management Conference is rescheduled until such time that the Court  
20 schedules a hearing on the responsive pleadings.

21 IT IS SO STIPULATED.

22 Dated: October 18, 2007

/s/

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Co-Lead Counsel for Plaintiffs

Dated: October 18, 2007

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/s/

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STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT  
C-07-0955-JF

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11 Counsel for Defendant Robert J. Quillinan

12 Dated: October 18, 2007

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/s/

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14 Gerald C. Barker, Kevin P. Connors, Robert M.  
15 Gelber, James L. Hobart and Nominal Defendant,  
16 Coherent, Inc.

17 *I, Alan Plutzik, am the ECF user whose ID and password are being used to file*  
18 *this Stipulation and [Proposed] Order Extending Time to Respond to Complaint. In*  
19 *compliance with General Order 45, X.B., I hereby attest that the other signatories have*  
20 *concurred in this filing.*

/s/ Alan R. Plutzik

Alan R. Plutzik

21 ORDER

22 Pursuant to the parties' stipulation, IT IS SO ORDERED.

23 Dated: 10/19/07



24 HON. JEREMY FOGEL  
25 UNITED STATES DISTRICT COURT JUDGE